

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7505–S7616

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2819–2826, S. Res. 311, and S. Con. Res. 133. **Page S7579**

Measures Reported:

S. 1777, to authorize assistance for individuals with disabilities in foreign countries, including victims of landmines and other victims of civil strife and warfare, with amendments. **Page S7577**

Greater Access to Affordable Pharmaceuticals Act: Senate continued consideration of S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals, taking action on the following amendments proposed thereto: **Pages S7516–51**

Rejected:

McConnell Amendment No. 4326 (to Amendment No. 4299), to provide for health care liability reform. (By 57 yeas to 42 nays (Vote No. 197), Senate tabled the amendment.) **Pages S7516–35**

Pending:

Reid (for Dorgan) Amendment No. 4299, to permit commercial importation of prescription drugs from Canada., **Pages S7516–51**

Graham Amendment No. 4345 (to Amendment No. 4299), to amend title XVIII of the Social Security Act to provide protection for all Medicare beneficiaries against the cost of prescription drugs. **Pages S7535–51**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, July 31, 2002; that there be 90 minutes of debate on the motion to waive the Budget Act with respect to Graham Amendment No. 4345 (to Amendment No. 4299), listed above, equally divided between Senator Graham and Senator Grassley; that if the motion to waive fails and the amendment falls, then the underlying Dorgan Amendment be agreed to, and the Senate vote immediately on cloture on the bill; further, that if cloture is invoked, the bill be read a third time and the Senate then vote immediately on final passage of the bill. **Page S7545**

Andean Trade Promotion and Drug Eradication Act Conference Report: By 66 yeas to 33 nays (Vote No. 198), Senate agreed to the motion to proceed to consideration of the conference report on H.R. 3009, to extend the Andean Trade Preference Act, and to grant additional trade benefits under that Act, and then began consideration of the conference report. **Page S7551**

A motion was entered to close further debate on the conference report and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Thursday, August 1, 2002. **Page S7551**

Appointments:

Global Climate Change Observer Group: The Chair, announced, on behalf of the two Leaders, pursuant to provisions of S. Res. 98, agreed to July 25, 1997, the appointment of Senator Reid to the Global Climate Change Observer Group, vice Senator Kerrey, retired. **Page S613**

National Skill Standards Board: The Chair, on behalf of the President pro tempore, pursuant to P.L. 103–227, reappointed Barbara Kairson, of New York, Representative of Labor, to the National Skill Standards Board, effective August 13, 2002. **Page S7613**

Nomination Considered: Senate began consideration of the nomination of D. Brooks Smith, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. **Pages S7551–64**

A unanimous-consent agreement was reached providing for further consideration of the nomination on Wednesday, July 31, 2002; and that following the vote on final passage of S. 812, Greater Access to Affordable Pharmaceuticals Act, a vote will occur on confirmation of the nomination. **Page S7545**

Messages From the House:

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Measures Placed on Calendar:

Page S7575

Executive Communications:

Pages S7575–77

Executive Reports of Committees:

Pages S7577–79

Additional Cosponsors:

Pages S7579–80

Statements on Introduced Bills/Resolutions:**Pages S7580–88****Additional Statements:****Pages S7572–75****Amendments Submitted:****Pages S7588–S7612****Authority for Committees to Meet: Pages S7612–13****Privilege of the Floor: Page S7613**

Record Votes: Two record votes were taken today. (Total—198) **Pages S7534–35, S7551**

Adjournment: Senate met at 10:30 a.m., and adjourned at 9:03 p.m., until 9:30 a.m., on Wednesday, July 31, 2002.

Committee Meetings

(Committees not listed did not meet)

NUCLEAR NONPROLIFERATION AND SMUGGLING

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded hearings to examine the report of the General Accounting Office on nuclear proliferation and efforts to help other countries combat nuclear smuggling, after receiving testimony from Gary L. Jones, Director, Natural Resources and Environment, General Accounting Office; John M. Caravelli, Assistant Deputy Administrator for International Materials Protection and Emergency Cooperation, National Nuclear Security Administration, Department of Energy; Lisa Bronson, Deputy Under Secretary for Technology Security Policy and Counter-Proliferation, and Director, Defense Technology Security Administration, Department of Defense; Norman A. Wulf, Special Representative to the President for Nonproliferation, Department of State; and Jayson P. Ahern, Assistant Commissioner, Office of Field Operations, U.S. Customs Service, Department of the Treasury.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of Ben S. Bernanke, of New Jersey, and Donald L. Kohn, of Virginia, each to be a Member of the Board of Governors of the Federal Reserve System, after the nominees testified and answered questions in their own behalf.

TELECOMMUNICATIONS INDUSTRY FINANCIAL TROUBLE

Committee on Commerce, Science, and Transportation: Committee held hearings to examine recent financial troubles in the telecommunications marketplace, including the events that led up to WorldCom's recent filing under Chapter 11 of the Bankruptcy Code, and focusing on maintaining the operations of essen-

tial communications facilities, receiving testimony from Michael K. Powell, Chairman, Federal Communications Commission; John W. Sidgmore, WorldCom, Inc., Ashburn, Virginia; John Legere, Global Crossing, Madison, New Jersey; and Afshin Mohebbi, Qwest Communications International, Inc., Denver, Colorado.

Hearings recessed subject to call.

AUTOMOTIVE REPAIR RIGHTS

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism concluded hearings to examine improvement in consumer choice with regard to automobile repair shops, and related provisions of S. 2617, to protect the rights of American consumers to diagnose, service, and repair motor vehicles purchased in the United States, after receiving testimony from Senator Wellstone; Bill Haas, Automotive Service Association, Bedford, Texas; John M. Cabaniss, Jr., Association of International Automobile Manufacturers, Arlington, Virginia; Dale Feste, Dale Feste Automotive, Hopkins, Minnesota; Gregory Dana, Alliance of Automobile Manufacturer, and John Nielsen, Automotive Services and Repair Network, both of Washington, D.C.; and John Vallely, McLean Marathon Service, Elgin, Illinois.

PUBLIC LANDS AND FORESTS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded hearings on S. 2016, to authorize the exchange of lands between an Alaska Native Village Corporation and the Department of the Interior, S. 2565, to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River Valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, S. 2587, to establish the Joint Federal and State Navigable Waters Commission for Alaska, S. 2612, to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, S. 2652, to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida, and S. Con. Res. 107, expressing the sense of Congress that Federal land management agencies should fully support the Western Governors Association "Collaborative 10-year Strategy for Reducing Wildland Fire Risks to Communities and the Environment", as signed August 2001, to reduce the overabundance of forest fuels that place national resources at high risk of catastrophic wildfire, and prepare a National prescribed Fire Strategy that minimizes risks of escape, after receiving testimony from Senators Reid, Murray, and Ensign; Robert Abbey, Acting Assistant Director for Renewable Resources,

Bureau of Land Management, and Drue Pearce, Senior Advisor to the Secretary of the Interior for Alaska Affairs, both of the Department of the Interior; Abigail Kimbell, Associate Deputy Chief, National Forest System, Forest Service, Department of Agriculture; Mayor Kem Hunter, Index, Washington; Clint Bentley, Nevada Land Users Coalition, and John Wallin, Nevada Wilderness Project, on behalf of the Nevada Wilderness Coalition, both of Las Vegas.

TRANSPORTATION AND AIR QUALITY

Committee on Environment and Public Works: Committee held hearings on the reauthorization and implementation of the Transportation Equity Act for the 21st Century (Public Law 105-178), focusing on Transportation and Air Quality issues, including the effectiveness of the current Congestion Mitigation and Air Quality (CMAQ) program, conformity, and the role of new technologies, receiving testimony from Mary E. Peters, Administrator, Federal Highway Administration, Department of Transportation; Jeffrey Holmstead, Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Scott Johnstone, Vermont Agency of Natural Resources, Waterbury; Lynn M. Terry, California Environmental Protection Agency, Sacramento; James E. Stephenson, Yancey Brothers Company, Atlanta, Georgia, on behalf of the American Road and Transportation Builders Association; Judge Ron Harris, Collin County Commissioners' Court, McKinney, Texas, on behalf of the North Central Texas Council of Governments Metropolitan Planning Organization; and Michael Replogle, Environmental Defense, Washington, D.C., on behalf of the Surface Transportation Policy Project.

Hearings recessed subject to call.

EXTRATERRITORIAL INCOME EXCLUSION ACT

Committee on Finance: Committee held hearings to examine the impact of the proposed repeal of the Extraterritorial Income Exclusion Act (P.L. 106-519) on the international competitiveness of U.S. companies, receiving testimony from Robert B. Zoellick, U.S. Trade Representative; Kenneth W. Dam, Deputy Secretary of the Treasury; Pierre A. Chao, Credit Suisse First Boston, New York, New York; F. Lynn McPheeters, Caterpillar, Inc., Peoria, Illinois; Daniel Kostenbauder, Hewlett-Packard Company, Palo Alto, California, on behalf of the AeA; Dwight Messinger, Power Curbers, Inc., Salisbury, North Carolina, on behalf of the National Association of Manufacturers; David Bullington, Wal-Mart Stores, Inc., Bentonville, Arkansas, on behalf of the International Mass Retail Association; and James H. Zrust, Boeing Company, Chicago, Illinois.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

Convention on the Elimination of All Forms of Discrimination Against Women, adopted by the United Nations General Assembly on December 18, 1979, and signed on behalf of the United States of America on July 17, 1980 (Treaty Doc. 96-53), with four reservations, five understandings, and two declarations;

Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, done at Kingston on January 18, 1990, with accompanying papers (Treaty Doc. 103-5), with three reservations, one understanding, and one declaration;

Protocol to Amend the 1949 Convention on the Establishment of an Inter-American Tropical Tuna Commission, done at Guayaquil, June 11, 1999, and signed by the United States, subject to ratification, in Guayaquil, Ecuador, on the same date (Treaty Doc. 107-2);

S. 1777, to authorize assistance for individuals with disabilities in foreign countries, including victims of landmines and other victims of civil strife and warfare, with amendments; and

The nominations of John William Blaney, of Virginia, to be Ambassador to the Republic of Liberia, Aurelia E. Brazeal, of Georgia, to be Ambassador to the Federal Democratic Republic of Ethiopia, Martin George Brennan, of California, to be Ambassador to the Republic of Zambia, J. Anthony Holmes, of California, to be Ambassador to Burkina Faso, Vicki Huddleston, of Arizona, to be Ambassador to the Republic of Mali, Donald C. Johnson, of Texas, to be Ambassador to the Republic of Cape Verde, Kristie Anne Kenney, of Maryland, to be Ambassador to the Republic of Ecuador, Jimmy Kolker, of Missouri, to be Ambassador to the Republic of Uganda, Gail Dennise Thomas Mathieu, of New Jersey, to be Ambassador to the Republic of Niger, Barbara Calandra Moore, of Maryland, to be Ambassador to the Republic of Nicaragua, Larry Leon Palmer, of Georgia, to be Ambassador to the Republic of Honduras, and James Howard Yellin, of Pennsylvania, to be Ambassador to the Republic of Burundi.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nominations of Nancy J. Powell, of Iowa, to be Ambassador to the Islamic Republic of Pakistan, and Richard L. Baltimore III, of New York, to be Ambassador to the Sultanate of Oman,

after the nominees testified and answered questions in their own behalf.

ENRON COLLAPSE

Committee on Governmental Affairs: Permanent Subcommittee on Investigations resumed hearings to examine the role of financial institutions in the collapse of Enron Corporation, focusing on Merrill Lynch's knowledge and involvement and Department of Justice's investigation, receiving testimony from G. Kelly Martin, New York, New York, and Schuyler Tilney, Houston, Texas, both of Merrill Lynch and Company; and Robert Furst, Dallas, Texas.

Hearings recessed subject to call.

TRIBAL TRUST FUND REFORM TASK FORCE

Committee on Indian Affairs: Committee held oversight hearings to examine recommendations of the Department of the Interior/Tribal Trust Reform Task Force as they relate to the reorganization of the Department to improve the management of funds held in trust by the United States for the benefit of Indian tribes and individual Indians, receiving testimony from J. Steven Griles, Deputy Secretary, and Neal A. McCaleb, Assistant Secretary for Indian Affairs, both of the Department of the Interior; Tex G. Hall, Three Affiliated Tribes of the Fort Berthold Reservation, New Town, North Dakota; and Susan Masten, Yurok Tribe of Indians of California, Eureka.

Hearings recessed subject to call.

INDIAN TRUST ASSET AND TRUST FUND MANAGEMENT

Committee on Indian Affairs: Committee held hearings on S.2212, to establish a direct line of authority for the Office of Trust Reform Implementations and Oversight to oversee the management and reform of Indian trust funds and assets under the jurisdiction of the Department of the Interior, and to advance tribal management of such funds and assets, pursu-

ant to the Indian Self-Determinations Act, receiving testimony from Neal McCaleb, Assistant Secretary of the Interior for Indian Affairs; Geraldine Small, Northern Cheyenne Tribe, Lame Deer, Montana; Michael Jandreau, on behalf of the Lower Brule Sioux Tribe, and Great Plains Tribal Chairman's Association, Lower Brule, South Dakota; Edward D. Manuel, Tohono O'odham Nation, Sells, Arizona; and James T. Martin, United South and Eastern Tribes, Inc., Nashville, Tennessee.

Hearings recessed subject to call.

ENVIRONMENTAL LAW ENFORCEMENT

Committee on the Judiciary: Subcommittee on Crime and Drugs held hearings to examine criminal and civil enforcement of federal environmental laws, focusing on partnership initiatives of U.S. Attorney's Offices, Federal Bureau of Investigation, and other federal state and local agencies, and compliance programs, receiving testimony from Thomas L. Sansonetti, Assistant Attorney General, Environment Division, Department of Justice; Timothy M. Burgess, United States Attorney for the District of Alaska; Leo D'Amico, Director, Office of Criminal Enforcement, Forensics and Training, Office of Enforcement and Compliance Assistance, Environmental Protection Agency; Eric V. Schaeffer, Environmental Integrity Project, former Director of the Office of Regulatory Enforcement, Michael J. Penders, Environmental Protection International, former Director of Legal Counsel, Office of Criminal Enforcement, Forensics and Training, both of the Environmental Protection Agency, and Judson W. Starr, Venable LLP, former Chief, Environmental Crimes Section, Department of Justice, all of Washington, D.C.; Ronald A. Sarachan, Ballard, Spahr, Andrews, and Ingersoll, LLP, Philadelphia, Pennsylvania, former Chief, Environmental Crimes Section, Department of Justice; and Nicholas A. DiPasquale, Delaware Department of Natural Resources and Environmental Control, Dover.

Hearings recessed subject to call.

House of Representatives

Chamber Action

House was not in session today. Pursuant to the provisions of S. Con. Res. 132, the House stands adjourned for the Summer District Work Period until 2 p.m. on Wednesday, September 4, 2002.

Committee Meetings

No committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 31, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the status of Operation Enduring Freedom, 3 p.m., SD-106.

Committee on Commerce, Science, and Transportation: to hold hearings on the nomination of Rebecca Dye, of North Carolina, to be a Federal Maritime Commissioner, 9:30 a.m., SR-253.

Subcommittee on Surface Transportation and Merchant Marine, to hold hearings to examine railroad shipper issues, 9:45 a.m., SR-253.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business, 9:30 a.m., SD-366.

Subcommittee on Water and Power, to hold hearings on S. 1577, to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects under that Act; S. 1882, to amend the Small Reclamation Projects Act of 1956; S. 934, to require the Secretary of the Interior to construct the Rocky Boy's North Central Montana Regional Water System in the State of Montana, to offer to enter into an agreement with the Chippewa Cree Tribe to plan, design, construct, operate, maintain and replace the Rocky Boy's Rural Water System, and to provide assistance to the North Central Montana Regional Water Authority for the planning, design, and construction of the noncore system; S. 2556, to authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District in the State of Idaho; S. 2696, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project; S. 2773, to authorize the Secretary of the Interior to cooper-

ate with the High Plains Aquifer States in conducting a hydrogeologic characterization, mapping, modeling and monitoring program for the high Plains Aquifer and for other purposes; and H.R. 2990, to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects under that Act, 2:30 p.m., SD-366.

Committee on Environment and Public Works: Subcommittee on Superfund, Toxics, Risk, and Waste Management, to hold oversight hearings to examine the Environmental Protection Agency Inspector General's Report on the Superfund Program, 10 a.m., SD-406.

Committee on Foreign Relations: to hold hearings to examine threats, responses, and regional considerations surrounding Iraq, 9:30 a.m., SD-419.

Full Committee, to continue hearings to examine threats, responses, and regional considerations surrounding Iraq, 2:30 p.m., SD-419.

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, to hold hearings to examine consumer safety and weight loss supplements, focusing on the extent of the use of supplements for weight loss purposes, the validity of claims currently being made for and against weight loss supplements, and the structure of the current federal system of oversight and regulation for dietary supplements, 10 a.m., SD-342.

Select Committee on Intelligence: to hold hearings to examine S. 2586, to exclude United States persons from the definition of "foreign power" under the Foreign Intelligence Surveillance Act of 1978 relating to international terrorism, and S. 2659, to amend the Foreign Intelligence Surveillance Act of 1978 to modify the standard of proof for issuance of orders regarding non-United States persons from probable cause to reasonable suspicion, 2:30 p.m., SDG-50.

Committee on the Judiciary: business meeting to consider pending calendar business, 9:45 a.m., SD-226.

Full Committee, to hold hearings to examine class action litigation issues, 10 a.m., SD-226.

Full Committee, to hold hearings on S. 2619, to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape, 1:30 p.m., SD-226.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

9:30 a.m., Wednesday, July 31

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Wednesday, September 4

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 812, Greater Access to Affordable Pharmaceuticals Act; that there be 90 minutes of debate on a motion to waive the Budget Act with respect to Graham Amendment No. 4345 (to Amendment No. 4299), with a vote to occur thereon; to be followed by a cloture vote on the bill, and if cloture is invoked, Senate will immediately vote on final passage of the bill; following which, Senate will continue consideration of the nomination of D. Brooks Smith, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, with a vote to occur on confirmation of the nomination.

House Chamber

Program for Wednesday: To be announced.



Congressional Record

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